IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FIRST DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

And

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION No.12469 of 2000

Between:

Subhakaran Banthia @ Jain S/o. Jeevaraj
R/o. Subhakaran Jain Pawn & Company,

No.1, Ground Floor, Aziz Mulk, 3rd St.,
Thousand Light, Chennai-6.

..... PETITIONER

AND

1 Union of India, Rep. by its Secretary,
Ministry of Food and Consumer Affairs, New Delhi.

2 The District Consumer Forum,
Kurnool District, at Kurnool.

3 Pasupula Syed Jakeer Hussain S/o. P. Syed Saheb
R/o. Chagalamarri (V&P), Kurnool District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction, more in the nature of Writ of Mandamus, declaring Section 27 of the Consumer Protection Act, 1986, as arbitrary, unreasonable and violative of Articles 14 & 19(1) (g) of the Constitution of India, and consequently quash the proceedings in P.P.No.5/98 in
O.P.NO. 193/97 on the file of Dist. Consumer Forum, Kurnool, as *void abinitio*, null and void and nonest in the eye of law.

Counsel for the Petitioner: MR. E.V.S.S. ACHARYULU

Counsel for the Respondent No.1: Mr. A. Rajasekhara Reddy,
(SC FOR CG)

Counsel for Respondent No.2: None appeared.

Counsel for Respondent No.3: Mr. G. Ramachandra Reddy.

The Court made the following :

ORDER: (Per Hon'ble Sri Justice B. Sudershan Reddy)

The subject matter that arises for consideration in this Writ Petition is squarely covered by the decision rendered by a Full Bench of this Court in ***C.V. Ratnam v. Union of India & Others***.

Following the decision of the Full Bench, this writ petition is required to be dismissed and the same shall accordingly stand dismissed without any order as to costs.

However, the petitioner shall have the advantage of the observations made in the judgment and the remedy to prefer appeal against the decision of the District Forum is left open.

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B. SUDERSHAN REDDY, J

Date:01-11-2004.

K.C. BHANU, J

PV

To

1 The Secretary, Union of India,
Ministry of Food and Consumer Affairs, New Delhi.

2. The President, District Consumer Forum,
Kurnool District, Kurnool.

3. Two C.D. copies.